

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
(FORT WORTH DIVISION)**

ROI DEVELOPERS, INC.,  
d/b/a ACCRUVIA

VS.

ATHENA BITCOIN, INC., d/b/a ATHENA  
BITCOIN GLOBAL

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**Case No. 4:22-cv-73-O**

**DEFENDANT’S OBJECTION TO PLAINTIFF’S PRETRIAL MATERIALS**

Comes now Defendant Athena Bitcoin, Inc. (“Defendant”) and the support of this, its objection to Plaintiff’s pretrial materials which show as follows:

1. Defendant objects to the documents tendered by Plaintiff as Exhibits 3, 4, 7, 9, 11, 17 page one, 18, 22, 23, 26, 27 and 28. Each of these exhibits are hearsay.
2. Defendant objects to the attorney fee billing statements 11 and 13 as they are hearsay and 11 does not reflect a reasonable or necessary attorney fee for the subject proceeding.
3. Defendant further objects to exhibits 3 and 4 as they are not relevant since they do not reference any of the items reflected thereon relate to Defendant Athena.

**Objection To Testimony Of Shaun Overton**

4. Defendant would further show, that to the extent Plaintiff attempts to offer evidence related to a claim of *quantum meruit*, this requires evidence regarding the reasonableness and customary nature of a charge. To the extent Plaintiff attempts to introduce evidence through Mr. Shaun Overton related to such issue, Defendant objects to such testimony as Mr. Overton has not been designated as an expert witness in this proceeding.

Respectfully submitted,

/s/ Larry L. Fowler

Larry L. Fowler

Texas Bar No. 07321900

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**ATTORNEYS FOR DEFENDANT  
ATHENA BITCOIN, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2022, a true and correct copy of the above and foregoing document has been served on all counsel of record via email through the Pacer system in accordance with FEDERAL RULES OF CIVIL PROCEDURE.

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